

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:
EARL DAVENPORT ARNOLD, JR., Debtor

CHAPTER 13
CASE NO: 21-45764
JUDGE THOMAS J. TUCKER

**TRUSTEE'S OBJECTION TO
CONFIRMATION OF CHAPTER 13 PLAN**

NOW COMES, the Chapter 13 Trustee, Tammy L. Terry, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E.D. Mich. L.B.R. 3015-3(a) and 11 U.S.C. §1307(c)(5) as follows:

1. The Trustee is unable to determine whether the Plan complies with 11 U.S.C. 1325(a)(4) as the debtor's **Schedule A** fails to fully disclose the nature of the debtor's interest in the debtor's real property. The Trustee requests that the debtor(s) amend Schedule A to provide the debtor's(s') interest in the property/properties.

2. The debtor testified at the § 341 First Meeting of Creditors that he receives additional financial support from his family. Based upon the debtor's Schedule I, a portion of the debtor's monthly gross income in the amount of \$1500.00 is derived from income received from family. The Trustee therefore requests a filed Affidavit from the debtor's family, with a copy served upon the Trustee, in order to determine whether such income constitutes "regular income" as required by 11 U.S.C. 109(e) and whether such income shall be sustained for the duration of the debtor's Plan pursuant to 11 U.S.C. 1325(a)(6).

3. The debtor provides in schedule D that the debtor owes arrears on the Mortgage serviced by SN Servicing Corporation. However, the debtor fails to treat the arrears in the Chapter 13 plan under class 4.2 and the Trustee request an amendment of same.

4. The debtor provides in the Chapter 13 Plan for monthly payments to SN Servicing Corporation for 43 payments. However, the plan is proposed for 60 months. The Trustee request that the debtor clarify this information and provide information regarding payments for months 44-60.

5. The Trustee objects to the debtor's failure to provide the correct information in the worksheet in lines 6e, 6f, 7 and 8 and the Trustee request an amendment of same.

WHEREFORE, the Chapter 13 Trustee requests this Honorable Court deny confirmation of the debtor's (s') Chapter 13 Plan.

8/23/2021

OFFICE OF THE CHAPTER 13 TRUSTEE - DETROIT

/S/ TAMMY L. TERRY

Chapter 13 Standing Trustee

/S/ KIMBERLY SHORTER-SIEBERT (P49608)

/S/ MARILYN R. SOMERS-KANTZER (P52488)

Staff Attorneys

535 Griswold Street, Suite 2100

Detroit, MI 48226

(313) 967-9857

mieb_ecfadmin@det13.net

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:
EARL DAVENPORT ARNOLD, JR., Debtor

CHAPTER 13
CASE NO: 21-45764
JUDGE THOMAS J. TUCKER

CERTIFICATE OF MAILING

I hereby certify that on **08/23/2021**, a copy of TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN was electronically filed with the Clerk of Court, served electronically to the debtor's(s') attorney and a copy of same deposited in the U. S. Mail to the debtor (s) at the address as it appears below.

OFFICE OF THE CHAPTER 13 TRUSTEE - DETROIT
/S/ LATOYA ETHRIDGE
Chapter 13 Standing Trustee Clerk
535 Griswold Street, Suite 2100
Detroit, MI 48226
(313) 967-9857
mieb_ecfadmin@det13.net

Thornbladh Legal Group PLLC
7301 Schaefer
Dearborn, MI 48126

EARL DAVENPORT ARNOLD, JR.
3755 SHEFFORD BLVD
CANTON, MI 48188